

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

v.

12 \$10,279 IN U.S. CURRENCY, AND ANY
13 ACCRUED INTEREST,

14 Defendant.

CASE NO. C20-1807-JCC

ORDER

15 This matter comes before the Court on the United States' motion for default judgment of
16 forfeiture (Dkt. No. 15). Having thoroughly considered the motion and the relevant record, the
17 Court FINDS that:

- 18 1. The United States properly served, by direct notice and publication, all potential
19 claimants to the Defendant Currency, (Dkt. No. 12-1);
20 2. No one has filed a claim to the Defendant Currency;
21 3. The appearances of Assistant Public Defenders Gregory Geist and Christopher
22 Sanders on behalf of Duncan Gibson have been withdrawn, (Dkt. No. 11);
23 4. Mr. Gibson has affirmatively informed the Court that he will not pursue a claim
24 against the Defendant Currency, (*id.*);
25 5. On March 26, 2021, the Clerk entered default against all potential claimants, (Dkt.
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No. 13);

6. Taking the allegations in the complaint as true, the United States has established that the Defendant Currency is forfeitable; and
 7. The factors set forth in *Eitel v. McCool*, 782 F.2d 1470, 1471–72 (9th Cir. 1986) support granting default judgment in the United States' favor.

Accordingly, the Court GRANTS the United States' motion for default judgment (Dkt.

No. 15) and ORDERS:

1. The above-captioned currency, and any interest that has accrued at the established rate provided by 28 U.S.C. § 1961(a), are fully and finally forfeited, in its entirety, to the United States pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 981(a)(1)(A), for violations of 21 U.S.C. § 841(a)(1); hereafter, no right, title, or interest in the currency and any accrued interest shall exist in any other party; and
 2. The United States Marshals Service, and/or its agents and representatives, shall dispose of the funds and any accrued interest as permitted by governing law.

DATED this 30th day of August 2021.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE